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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,785	04/30/2001	Karen P. Parnell	005306.P019	4346

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EXAMINER
SPOONER, LAMONT M

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/845,785	PARNELL ET AL.
	Examiner	Art Unit	
	Lamont M. Spooner	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 April 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5,9,16-19,22,26,33,34 and 38-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5,9,16-19,22,26,33,34 and 38-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including

the fee set forth in 37 CFR 1.17(e), was filed in this application after final

rejection. Since this application is eligible for continued examination under

37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely

paid, the finality of the previous Office action has been withdrawn pursuant

to 37 CFR 1.114. Applicant's submission filed on 4/24/06 has been

entered.

Response to Arguments

2.   Applicant's arguments filed 4/24/06 have been fully considered but

they are not persuasive. More specifically, regarding the 35 USC 112

rejection, the limitation "wherein the internationalization comprises pseudo

localization of the language independent code of the base version of the

application." is still not found in the disclosure, despite the sections cited by

applicant, i.e. page 8, lines 4-7, "In the development of multiple language

version of the application, the UI code must be translated via a localization

process while the application as a whole is reviewed and tested via the

internationalization process to ensure compatibility with a variety of

locales." The Examiner is unable to locate wherein the internationalization

comprises pseudo localization of the language independent code of the

base version of the application, furthermore the limitation or any direct

explanation thereof is still lacking in the other cited sections, p.5, lines 2-5,

page 7 line 17 through page 8 line 9, also page 12, line 16-page 13 line 14.

3.   Applicant's arguments with respect to the claims, regarding

"facilitating a localization of the base version of the application concurrent

with the internalization of the base version of the application" have been

considered but are moot in view of the new ground(s) of rejection.

Claim Objections

4.   Claims 1, 18 and 34 are objected to because of the following

informalities: In the claims, "concurrent with the internalization of the base

version of the application" should probably be - -concurrent with the

internationalization of the base version of the application- -. Appropriate

correction is required. For purposes of expediting prosecution, the

Examiner has interpreted the claims to read as such, wherein the applicant

does not disclose anywhere in the disclosure, internalization.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of
making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claim 1 (and similar claims 18, and 34) is rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the written description

requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in

the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. More specifically, the limitation

"wherein the internationalization comprises pseudo localization of the

language independent code of the base version of the application." is not

found in the disclosure. For example, p.18.lines 1-22, including "Pseudo

localization comprises a process of simulating localization by adding prefix

characters to all translatable strings in the application, and altering any

locale-specific setting in the operating environment, e.g., date, time,

number, currency format, or the like. Pseudo localization may be utilized for

international testing prior to having the true translation available. A pseudo

localization build of the application is treated as just another language

version of the UI code. The pseudo localization build may be designed to

automatically perform the actual pseudo translation by modifying

translatable base language strings to incorporate the prefix mentioned

above." does not teach the rejected limitation.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the

basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1, 2, 5, 9, 16-18, 19, 22, 26, 33 and 34 and 38-43 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (hereinafter

referred to as Lee, US 6,442,516) in view of Rojas et al. (hereinafter

referred to as Rojas, US 6,425,123), and further in view of Malcolm (US

5,416,903).

Lee, Rojas and Malcolm are analogous art in that they both involve

the development process of software.

As per **claims 1, 18 and 34**, Lee discloses a method facilitating a

polylingual simultaneous shipment of the application, the method

comprising:

storing a base version of the application in a base language (C.2.lines

57-67), wherein the language dependant code is maintained separately

from language independent code of the base version of the application

(C.4.lines 8-17-language dependent code tracked from language

independent code not requiring translation in a base language, .4.lines 9-

16, having a library control feature (translatable components only in these

fields, i.e. his available field of database... translation, and library control

database that tracks all changes to the language source file that would

require a translation);

facilitating an internationalization (I18N) of the base version of the

application (C.3.lines 56-63, C.4.lines 58-64); and

concurrently (C.3.lines 59-61) facilitating a L10N of the base version of the

application, wherein the L10N comprises generating a base glossary for the

language dependent code, the base glossary being translated into at least

one language different from the base language (C.3.lines 56-57, C.10.lines

10-16, the L10N process, C.10.line 58-C.11.line 39, C.10.lines 58-60-his

seeds as the base glossary, C.3.line 67-C.4.line 1, 14-16, C.11.lines 5-9,

13-15-translated files include a base glossary).

but lacks disclosing the I18N implementing an internationalization

(I18N) of the base version of the application, wherein the I18N process

comprises pseudo localization (L10N) of the base version of the application;

However, Rojas teaches having an I18N process including a pseudo L10N of a base version of an application (C.2.line 48-C.3.line 5). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee with Rojas by implementing a mock L10N. The motivation for doing so would have been to test language translatability in computer software (C.2.lines 45-47).

Lee and Rojas lack facilitating a localization of the base version of the application <u>concurrent with the internationalization of the base version of the application</u>. However, Malcolm teaches this lacking element (C.10.lines 16-30). Therefore it would have been obvious at the time of the invention to modify Lee and Rojas with the concurrent (parallel) localization and internationalization, for the benefit of reducing overall time requirements for development (C.10.lines 25-27).

As per **claims 2, and 19**, Lee in view of Rojas disclose all the limitations of claim 1, upon which claim 2 depends. Rojas further discloses storing the base version of the application comprises:

identifying all language-dependent user interface code (C.4.lines 34-45); and

creating a source code structure for the application wherein the language-dependent user interface code is maintained separately from non user interface code (C.4.lines 35-37-separate executable program).

As per **claims 5 and 22**, Lee in view of Rojas disclose all the limitations of claim 1, upon which claim 5 depends. Lee further discloses:

the base language is English (C.6.lines 30-34).

As per **claims 9 and 26**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 9 depends.

Rojas also teaches pseudo L10N includes adding a prefix to each translatable string in the application (C.4.lines 58-67).

As per **claims 16 and 33**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 16 depends. Lee further discloses

the at least one language different from the base language is selected from the group consisting of: German, Spanish, French, Japanese, Danish, Dutch, Italian,

Portuguese, Swedish, Chinese, Korean, Czech, Finnish, Greek, and Hebrew (C.10.lines 10-15-French, C.11.lines 45-47).

As per **claim 17**, Lee and Rojas disclose dependent claim 1, Rojas further teaches wherein the application (C.2.lines 40-44) comprises a front end (C.4.lines 45, 46-irequired as a front end development), a middle (C.4.lines 33-45), and a data model (C.4.lines 46-52-data model), wherein the front end comprises user interface code developed in a base language (C.4.lines 34-45, 53, 54-base language interface code required to initiate the process), and the middle comprises non user interface code developed in a programming language (C.4.lines 35-37-separate executable program follows the initiated front end);

As per **claim 38**, Lee and Rojas disclose dependent claim 1, and Lee further teaches a first portion of the language dependent code is stored in a master repository (C.2.lines 62-66-his all files logged in the library control database as the first portion) and a second portion of the language dependent code is stored in resource files (C.4.lines 8-15-his baselevel fields as the second portion ...resource files).

As per **claim 39**, Lee and Rojas teach claim 1, Lee further teaches the internalization further comprises identifying defects in a previous version of the application (C.4.lines 18-23-his "translated file downlevel" interpreted as defects, wherein they necessarily are modified, or fixed,

C.4.lines 44-67, also his files that require changes, C.5.lines 39-44-the

identified errors from the CMVC).

As per **claims 40 and 41**, Lee and Rojas teach claim 9, Rojas also

teaches wherein the pseudo localization further comprises altering locale-

specific settings (C.2.lines 48-67-his formatting and hard-coded text for the

localization files, C.5.lines 31-37-his mock translation) in an operating

environment (C.6.lines 36-48-his hard-coded text, Fig. 5 item 510).

wherein the locale-specific settings comprise at least one of a date, a

time, a number, a currency format and a hard-coded reference to a

translation (C.2.lines 48-67-his formatting, and C.6.lines 36-48-his hard-

coded text, Fig. 5 item 510).

As per **claim 42**, Lee and Rojas teach claim 9, and Lee further

teaches wherein the pseudo localization further comprises identifying hard-

coded strings in the application by simulating localization of the application

(C.6.lines 37-48, Figs. 4 and 5).

As per **claim 43**, Lee and Rojas teach claim 1, Lee further teaches

generating the base glossary comprises creating a list of base language

strings (C.10.lines 59, and 60-his sets of files from language objects, the

language objects as the base language strings in the CMVC).

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms
7/18/06

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